

To: Erin Foresman/R9/USEPA/US@EPA[]
From: "Nepstad, Michael G SPK"
Sent: Wed 4/7/2010 3:07:05 PM
Subject: FW: BDCP Preferred Purpose Statement

Michael G. Nepstad
Deputy Chief, Regulatory Division
US Army Corps of Engineers, Sacramento District
1325 J Street, Room 1480
Sacramento, California 95814
(916) 557-7262 Fax:(916) 557-6877
michael.g.nepstad@usace.army.mil

We want to hear from you! Submit a customer service survey form.
<http://per2.nwp.usace.army.mil/survey.html>

Need information on the Regulatory Program?
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>

-----Original Message-----

From: Barajas, Federico [mailto:FBarajas@usbr.gov]
Sent: Tuesday, April 06, 2010 6:19 PM
To: Nawi, David; 'Hagler.Tom@epamail.epa.gov'; 'Melanie.Rowland@noaa.gov';
Allen, Kaylee; Castleberry, Dan; Grim, Mary; Idlof, Patricia S; Milligan,
Ronald E; 'Maria.Rea@noaa.gov'; 'Michael.Tucker@NOAA.GOV'; Monroe, James;
Nepstad, Michael G SPK; 'Schwinn.Karen@epamail.epa.gov'; Jewell, Michael S
SPK
Cc: Nawi, David
Subject: Re: BDCP Preferred Purpose Statement

Hello,
At a BDCP meeting earlier today, the Federal lead agencies informed participants that there are ongoing discussions relative to the Purpose and Need between the federal action agencies and federal regulatory agencies. A lot of interest was expressed to better understand concerns associated with current NOI language. The group was informed that the lead agencies would extend an invite to a small group of participants (including PREs) to meet w/EPA and COE to get a better sense of the next steps in resolving this issue. The group is looking for frequent status updates and are looking for ways to have a timely resolution. FB

From: Nawi, David
To: Hagler.Tom@epamail.epa.gov <Hagler.Tom@epamail.epa.gov>;
Melanie.Rowland@noaa.gov <Melanie.Rowland@noaa.gov>; Allen, Kaylee;
Castleberry, Dan; Grim, Mary; Idlof, Patricia S; Milligan, Ronald E; Barajas,
Federico; Maria.Rea@noaa.gov <Maria.Rea@noaa.gov>; Michael.Tucker@NOAA.GOV
<Michael.Tucker@NOAA.GOV>; Monroe, James; Michael.G.Nepstad@usace.army.mil

<Michael.G.Nepstad@usace.army.mil>; Schwinn.Karen@epamail.epa.gov
<Schwinn.Karen@epamail.epa.gov>; Jewell, Michael S SPK
<Michael.S.Jewell@usace.army.mil>
Cc: Nawi, David
Sent: Sun Apr 04 17:15:07 2010
Subject: RE: BDCP Preferred Purpose Statement

It looks like we should discuss this at Tuesday's meeting. I will attach a draft agenda.

From: Hagler.Tom@epamail.epa.gov [Hagler.Tom@epamail.epa.gov]
Sent: Friday, April 02, 2010 3:45 PM
To: Nawi, David; Melanie.Rowland@noaa.gov; Allen, Kaylee; Castleberry, Dan; Grim, Mary; Idlof, Patricia S; Milligan, Ronald E; Barajas, Federico; Maria.Rea@noaa.gov; Michael.Tucker@NOAA.GOV; Monroe, James; Michael.G.Nepstad@usace.army.mil; Schwinn.Karen@epamail.epa.gov
Subject: BDCP Preferred Purpose Statement

Ladies and Gentlemen -

I wanted to confirm for the larger federal family some discussions that EPA has had with most of you separately.

EPA would endorse a "purpose and need" statement for the 404 and NEPA reviews as outlined in the attachment. This attachment reflects recent discussions between the federal action agencies and federal regulatory agencies.

EPA would like to get a better sense of the "next steps" in resolving this issue. We are concerned that waiting for the state agencies to complete their ongoing dialog with the state legislature about this issue may delay a timely resolution. Similarly, we do not believe it is useful to wait until we discuss the alternatives before we address the purpose and need statement, given the circularity of defining purposes and alternatives simultaneously.

We look forward to discussing next steps as soon as feasible.

If you want to talk about this, call Karen at (415)972-3472.

----- Original Message -----

From: "Jewell, Michael S SPK" [Michael.S.Jewell@usace.army.mil]
Sent: 03/17/2010 11:03 AM MST
To: <Melanie.Rowland@noaa.gov>
Cc: "Nawi, David" <David_Nawi@ios.doi.gov>; "Allen, Kaylee" <Kaylee.Allen@sol.doi.gov>; "Castleberry, Dan" <dan_castleberry@fws.gov>; "Grim, Mary" <Mary_Grim@fws.gov>; "Idlof, Patricia S" <Pidlof@usbr.gov>; "Milligan, Ronald E" <RMilligan@usbr.gov>; "Barajas, Federico" <FBarajas@usbr.gov>; <Maria.Rea@noaa.gov>; "Mike Tucker" <Michael.Tucker@NOAA.GOV>; "Jim Monroe" <james.monroe@sol.doi.gov>; "Nepstad,

Michael G SPK" <Michael.G.Nepstad@usace.army.mil>; Karen Schwinn
Subject: RE: Preferred Purpose Statement

Melanie:

Thanks. The Corps is in agreement with your edit on the final element of the purpose statement.

I'm Ccing Karen Schwinn at EPA on this too.

Michael S Jewell
Chief, Regulatory Division
US Army Corps of Engineers, Sacramento District
1325 J Street, Room 1480
Sacramento, California 95814
O:(916) 557-6605 F:(916) 557-6877
michael.s.jewell@usace.army.mil

Want to let us know how we're doing?
<http://per2.nwp.usace.army.mil/survey.html>
<<http://per2.nwp.usace.army.mil/survey.html>>

Need information on the Regulatory Program?
<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>
<<http://www.spk.usace.army.mil/organizations/cespk-co/regulatory/index.html>>

-----Original Message-----

From: Melanie Rowland [mailto:Melanie.Rowland@noaa.gov
<mailto:Melanie.Rowland@noaa.gov>]
Sent: Wednesday, March 17, 2010 10:22 AM
To: Nawi, David; Allen, Kaylee; Castleberry, Dan; Grim, Mary; Idlof, Patricia
S; Milligan, Ronald E; Barajas, Federico; Maria.Rea@noaa.gov; Mike Tucker;
Jim Monroe; Jewell, Michael S SPK
Subject: Preferred Purpose Statement

At David's request at our meeting yesterday, I did a little editing of the purpose statement we ended up with at the five federal agencies meeting on March 10 (convened by the Corps). This "preferred NEPA purpose statement" would be ready in case the NGOs' request to bring the P&N discussion to the Steering Committee results reopening of the discussion and a request for the federal co-lead agencies' preferred purpose statement. As you'll see, my only substantive edit is to delete "up to full contract amount" and accompanying phrases in the last purpose. We concluded yesterday that while we're all OK with the existing language, if the opportunity arises to express our preference, our preference is to go back to the language we originally drafted before negotiations with the PRE's led to the modified statement.

I started with the statement from the "final minutes of the 3-10-2010 meeting," sent out by Mike Jewell yesterday. My edits are shown in track changes in the attached document.

Melanie

<<

BDCPCOORDAgenda - April 6[1].doc (21.6KB)

(21.6KB)

>>